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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Question of Western Sahara

Report of the Secretary-General**

1. On 10 December 2001, the General Assembly adopted, without a vote, resolution 56/69 on the question of Western Sahara. The Secretary-General, in close cooperation with the Chairman of the Organization of African Unity (OAU), has continued to exercise his good offices with the parties concerned. The present report, which covers the period from 1 July 2001 to 30 June 2002, is submitted in accordance with paragraph 13 of resolution 56/69.

2. On 12 November 2001, the Secretary-General wrote to the President of the Security Council (see S/2001/1067), referring to the question of Western Sahara and in particular to the activities of his Personal Envoy, James A. Baker III, pursuant to Security Council resolution 1359 (2001) of 29 June 2001. The Secretary-General recalled that, in his report to the Security Council dated 20 June 2001 (S/2001/613), he had recommended that the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) be extended until 30 November 2001, and informed the Council that, should his Personal Envoy decide to continue with the discussions about the draft framework agreement after that date in order to try and negotiate such changes in the document that would make it acceptable to Morocco, the Frente POLISARIO, Algeria and Mauritania, it would be his intention to recommend to the Council that the mandate of MINURSO be extended to permit time for such negotiations. The Secretary-General also recalled that in the same report, he had informed the Council that if, by the end of the mandate period, his Personal Envoy should conclude that it would not be worthwhile to continue with the consultations, the council could decide to review the mandate of MINURSO and consider what further role it could play under the circumstances.

3. Further, the Secretary-General recalled that, in resolution 1359 (2001), the Council had encouraged the parties to discuss the draft framework agreement under the auspices of his Personal Envoy and to negotiate any specific changes that they would like to see in that proposal, as well as to discuss any other proposal for a political solution, which might be put forward by the parties, to arrive at a mutually acceptable agreement. The Council had also affirmed that, while the discussions referred to above were in progress, the official proposals submitted by the Frente POLISARIO to overcome the obstacles preventing the implementation of the settlement plan would be considered.

4. In his letter, the Secretary-General informed the Security Council that, since the adoption of resolution 1359 (2001), his Personal Envoy had been consulting

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** The delay in the submission of the report was caused by need to consult the Department of Peacekeeping Operations.

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with the parties within the framework of that resolution but had, however, recently informed the Secretary-General that he would need additional time for those consultations. Accordingly, the Secretary-General proposed that the Council authorize a technical extension of the mandate of MINURSO for a period of two months, until 31 January 2002. The Secretary-General advised the Council that he would submit to it his report on Western Sahara in good time before that date.

5. On 27 November 2001, the Security Council adopted resolution 1380 (2001) of 27 November 2001, by which it extended the mandate of MINURSO until 28 February 2002, and requested the Secretary-General to keep it informed of all significant developments in an interim report to be issued by 15 January 2002 and to provide an assessment of the situation by 18 February 2002.

6. Pursuant to that resolution, the Secretary-General submitted to the Security Council a report dated 10 January 2001 (S/2002/41), in which he informed the Council that, as requested by the Council in resolution 1359 (2001), his Personal Envoy, James A. Baker III, had invited the Governments of Algeria and Mauritania and the leadership of the Frente POLISARIO to send delegations to meet with him at Pinedale, Wyoming, United States of America, from 27 to 29 August 2001. In his letters of invitation, the Personal Envoy had expressed hope that Algeria, Mauritania and the Frente POLISARIO would discuss with specificity the elements of the draft framework agreement in order to reach an early, durable and agreed resolution of the conflict over Western Sahara, and had explained that the Government of Morocco was not being invited to the meeting since it had indicated to him that it was prepared to support the draft framework agreement. He had expressed his intention to confer with the Government of Morocco about any proposed changes, after hearing the views of the Governments of Algeria and Mauritania, as well as those of the Frente POLISARIO. In his letter to the Frente POLISARIO, the Personal Envoy had indicated that the latter's official proposals of 28 May 2001 (S/2001/613, annex IV), which were aimed at overcoming the obstacles in the implementation of the settlement plan (S/21360 and S/22464 and Corr.1), would also be considered at the meeting in Wyoming.

7. In Wyoming, after an introductory gathering with all three delegations, the Personal Envoy had met first the Frente POLISARIO to consider in detail its proposals of 28 May 2001. The Mauritanian delegation was present at that meeting. The Personal Envoy had asked for clarifications about some of the proposals, while commending the Frente POLISARIO for some of its concessions aimed at facilitating the resumption of the implementation of the settlement plan. He had pointed out that the concurrence of the Government of Morocco would be required in order for some proposals to be implemented. He had also pointed out that other proposals would require action by the Security Council under Chapter VII of the Charter of the United Nations.

8. The Personal Envoy had met separately the Algerian delegation to discuss the draft framework agreement. The Algerian delegation had reiterated its general views on and objections to the proposed document. It had not engaged in a specific and detailed discussion about it as requested by the Personal Envoy, but had indicated that it would send him specific clarifications shortly.

9. The Personal Envoy had then met again with the Frente POLISARIO delegation to discuss the draft framework agreement. The Mauritanian delegation had also attended that meeting. As in his meeting with the Algerian delegation, Mr. Baker had asked for an open and frank discussion, with assurances that no issue would be considered as finally agreed to until such time as all issues had been agreed. He had expressed hope that the Frente POLISARIO representatives would point to specific problems with the draft framework agreement, and present their own proposals, if possible.

10. The Frente POLISARIO delegation had stated that it did not wish to engage in a specific and detailed discussion on the draft framework agreement. It had expressed the view that the provisions of the draft document, as presented, would lead to the integration of Western Sahara with Morocco but nevertheless had promised to provide the Personal Envoy with detailed clarifications at a later stage, after conferring with its leadership.

11. The Mauritanian delegation had assured the Personal Envoy of its Government's support for any solution to the problem of Western Sahara that would promote peace and stability in the region and would have the support of the parties.

12. Subsequently, on 4 October 2001, the Secretary-General of the Frente POLISARIO, Mohamed Abdelaziz, had submitted to the Personal Envoy a memorandum containing the position of the Frente POLISARIO on the draft framework agreement (S/2002/41, annex I). On 7 October, President Abdelaziz Bouteflika had provided the Personal Envoy with the comments of the Government of Algeria on the draft framework agreement (S/2002/41, annex II).

13. On 31 October 2001, the Personal Envoy had forwarded to the Government of Morocco the comments and observations received from the Frente POLISARIO and the Government of Algeria, with a request that it provide him with its own comments and observations. At the same time, he had advised that, at the Wyoming meeting, he had discussed with the Frente POLISARIO its proposals to overcome the obstacles to the implementation of the settlement plan and had commended it for some of the concessions that had been made. Since the concurrence of the Government of Morocco would be necessary to implement some of those proposals, he had asked that the Government of Morocco revert to him at its earliest convenience, with its own comments and observations on the Frente POLISARIO proposals. On 10 November, the Permanent Representative of Morocco to the United Nations had forwarded the observations of his Government on the comments of Algeria and of the Frente POLISARIO concerning the draft framework agreement, as well as on the latter's proposals to overcome the obstacles in the implementation of the settlement plan (see S/2002/41, annex III).

14. In his report, the Secretary-General informed the Security Council that, until the expiration of his appointment on 30 November 2001, his Special Representative, William Eagleton, had continued his consultations with the Government of Morocco and the leadership of the Frente POLISARIO, and had also met with the Algerian and Mauritanian authorities. The Secretary-General recalled that, on 30 October 2001, he had informed the Security Council of his decision to appoint William L. Swing (United States of America) as his Special Representative for Western Sahara (S/2002/1041). Mr. Swing had assumed his functions in the mission area on 11 December 2001, and had made introductory calls on the Moroccan authorities and on the Frente POLISARIO leadership.

15. With regard to the appeals process, the Secretary-General informed the Security Council that the Identification Commission had continued to consolidate and collate all data on applicants to the referendum, collected during the identification process and the submission of appeals, and that, pending the resolution of outstanding issues, the Identification Commission would maintain a core of some 40 staff to undertake essential activities.

16. On the military side, the Secretary-General informed the Council that there had been no easing or lifting of the restrictions imposed by the Frente POLISARIO on the freedom of movement of United Nations military observers east of the defensive sand-wall since January 2001 to protest the passage of the Paris-Dakar vehicle rally through the territory of Western Sahara. Discussions aimed at lifting the restrictions had continued between MINURSO and the Frente POLISARIO. For the 2002 rally, the organizers had sought the permission of both parties to the conflict in Western Sahara to use the same route as the year before, but without an overnight stop in the Territory. No incident had been reported during the rally's crossing in 2002.

17. With regard to the work of Office of the United Nations High Commissioner for Refugees (UNHCR) in the area, the Secretary-General informed the Security Council that the Office had continued to carry out its mandated responsibilities for the refugees in the Tindouf camps and to coordinate with MINURSO. UNHCR had conducted a coordination workshop with its implementing partners, the European Commission Humanitarian Aid Office and the World Food Programme (WFP), and with refugees, to set up a mechanism for planning, monitoring and evaluating the assistance programme. Owing to financial constraints, however, there had been a shortage of basic food supplies at the end of 2001. UNHCR and WFP were conducting planning and donor sensitization efforts, to be able to continue to provide adequate assistance to the refugees in 2002.

18. Concerning the prisoners of war and persons unaccounted for, a representative of the International Committee of the Red Cross (ICRC) had met and interviewed in Laayoune 23 former Frente POLISARIO combatants who had been unaccounted for, as well as the spouse of another who had been out of Laayoune during the ICRC visit. The Frente POLISARIO had submitted tracing requests for all of

them. In addition, on 6 November, Morocco had released 25 Saharan detainees, including 24 civilians arrested since 1999 and one military personnel arrested in 1979 and serving a life sentence. On 2 January 2002, the Frente POLISARIO had announced its decision to release 115 Moroccan prisoners of war.

19. In his report, the Secretary-General further informed the Security Council that, on 22 October, the Secretary-General of the Frente POLISARIO had written to him expressing his concerns over certain developments in Western Sahara, in particular the signing of contracts by Morocco with two foreign oil companies for offshore oil reconnaissance.

20 In concluding his report, the Secretary-General restated his intention to provide, before the end of the current mandate of MINURSO on 28 February 2002, an assessment of the situation and, as appropriate, recommendations on the future mandate and composition of the Mission. While he considered the recent release of a number of Moroccan prisoners of war, as well as Saharan detainees, a positive development, he expressed concern over those who continued to be held in detention, most of them for more than 20 years. He appealed to the international community to provide generous support to UNHCR and WFP, in order to meet the humanitarian needs of the Saharan refugees in the Tindouf camps until their voluntary and durable return to Western Sahara.

21. Pursuant to Security Council resolution 1380 (2001), the Secretary-General submitted to it a report dated 19 February 2002 (S/2002/178), in which he informed the Council that his Personal Envoy, James A. Baker, III, had visited Morocco on 24 and 25 January 2002, where he had been received twice by His Majesty King Mohammed VI and high-level governmental officials. The purpose of the visit was to inform the Moroccan authorities that both the Government of Algeria and the Frente POLISARIO had rejected the draft framework agreement, as had been reiterated to the Personal Envoy by the President of Algeria, Abdelaziz Bouteflika, during his visit to Houston, Texas, United States of America, on 2 November 2001. The Secretary-General noted that, in the view of his Personal Envoy, Algeria and the Frente POLISARIO would be prepared to discuss or negotiate a division of Western Sahara as a political solution to the dispute over the Territory.

22. The Secretary-General also informed the Council that, following his initial meetings with the parties, his Special Representative, William L. Swing, had made introductory visits to Algeria and Mauritania, from 14 to 17 January and on 13 and 14 February 2002, respectively, where he had met with the presidents of those countries, and with senior governmental officials. During the reporting period, the Special Representative had also met with UNHCR and WFP officials to discuss the humanitarian assistance programmes in the Tindouf refugee camps and cross-border confidence-building measures.

23. Since the submission of the previous report of the Secretary-General to the Council (S/2002/41), the Identification Commission had reduced its staff to 40. The Commission had continued to consolidate and collate the data on applicants to the referendum, collected during the identification process and the submission of appeals.

24. On the military side, MINURSO had continued discussions with the Frente POLISARIO with a view to easing or lifting the restrictions which had been imposed by the latter on the freedom of movement of United Nations military observers east of the defensive sand-wall since January 2001.

25. With regard to the work of UNHCR, the Secretary-General reported that a senior UNHCR delegation had visited the region from 26 January to 2 February 2002 to discuss, after consulting with MINURSO and the parties, the issue of cross-border confidence-building measures for Saharan refugees. The Government of Morocco had assured the UNHCR delegation that it was in principle prepared to accept the proposals of UNHCR, provided that the implementation modalities were agreed upon at a later stage. The Frente POLISARIO had reiterated its position that the implementation of those activities should only be carried out within the context of the settlement plan (S/21360 and S/22464 and Corr.1). The Secretary-General expressed concern over frequent shortages of basic food commodities for the Saharan refugees, owing to financial constraints. He once again appealed to the international community to provide generous support to UNHCR and WFP in order to help them overcome the deteriorating food situation in the Tindouf camps.

26. The Secretary-General recalled that, on 2 January, the Frente POLISARIO had announced the release of

115 of the 1,477 Moroccan prisoners of war it was holding. Those prisoners of war had been repatriated under the auspices of the International Committee of the Red Cross (ICRC) on 17 January. The Secretary-General considered that action, together with the effort by Morocco to account for some former Frente POLISARIO combatants previously unaccounted for and the amnesty that it had granted in November 2001 to 25 Saharan detainees, to be steps in the right direction which, if continued and accelerated, would help to bring the parties closer to a final resolution of these matters of urgent humanitarian concern.

27. The Secretary-General reminded the Council that some 1,362 Moroccan prisoners of war continued to be held in connection with the Western Sahara conflict, some of them for more than 20 years. He considered their release to be long overdue and expressed the hope that members of the Council would once again join him in calling on the Frente POLISARIO to release without further delay all remaining prisoners of war.

28. Further, the Secretary-General informed the Council that, on 29 January, the Legal Counsel had responded to a letter addressed to him on 13 November 2001 by the President of the Security Council requesting, on behalf of the members of the Council, his opinion on the legality of contracts offshore Western Sahara, which had been concluded by Morocco with foreign oil companies (S/2002/161). The Permanent Representative of Algeria had addressed a letter to the Secretary-General on this subject (S/2002/144-A/56/809), the Permanent Representative of Morocco had expressed his views in a letter addressed to the President of the Council (S/2002/153), and the representative of the Frente POLISARIO in New York had addressed two letters to the President on the same subject.

29. The Secretary-General recalled that in his report to the Security Council of 20 June 2001 (S/2001/613), he had described in some detail the difficulties that the United Nations had encountered over the previous 10 years in its effort to implement the settlement plan, which had resulted in repeated breakdowns in the identification process.

30. The Secretary-General also recalled the difficulties that his Personal Envoy had encountered during the four rounds of direct talks that had been held in Houston from June to September 1997. During those sessions, it had become immediately apparent that both sides had problems accepting the proposals submitted by the Personal Envoy to bridge their differences. Nevertheless, through the hard work and perseverance of the Personal Envoy and his team, agreement had been reached on all issues separating the parties, and during the last round, the Houston agreements which allowed for the resumption of the identification process and therefore the implementation of the settlement plan, had come into effect.

31. The Secretary-General further recalled that, in paragraphs 27 to 29 of his June 2001 report (S/2001/613), he had described the difficulties encountered in carrying out and concluding the identification process and had enumerated the remaining unresolved issues of the settlement plan. At the conclusion of the identification process at the end of 1999, MINURSO had been facing 131,938 appeals, with an appeals process that promised to be even lengthier and more cumbersome and contentious than the identification process.

32. In view of those developments, the Secretary-General had requested his Personal Envoy early in 2000 to undertake new consultations with the parties and neighbouring countries. After a visit to the region from 8 to 11 April, the Personal Envoy had informed the Secretary-General that he needed to organize another face-to-face meeting between the parties. Three such meetings had been held between May and October 2000, at which the parties had been asked to come forward with concrete solutions to the multiple problems of the settlement plan that both could agree to, or else be prepared to discuss other ways to achieve an early, durable and agreed resolution of their dispute over Western Sahara.

33. During the third meeting, held in Berlin on 28 September 2000, the two parties had reiterated their differing positions on the status of the settlement plan; both, however, had pledged their cooperation with the United Nations. The Personal Envoy had pointed out to them that he had been hearing the same arguments and pledges of cooperation since 1997, and he had expressed scepticism about the validity of such pledges.

34. After recalling that neither party had come forward with new positions on any issue that was hampering the implementation of the settlement plan, the Personal Envoy had pointed out that, in his view, there was no political will on either side to move

forward. He had then asked the parties whether they would be willing to achieve self-determination through an agreement, without abandoning the settlement plan. Both parties had reiterated their commitment to the settlement plan, although both had again expressed fundamental differences and perceptions as to its implementation. The Frente POLISARIO had responded that it was not ready to discuss anything outside the settlement plan. The Moroccan delegation had stated that it was prepared to initiate a sincere and frank dialogue with the Frente POLISARIO, with the assistance of the Personal Envoy, to work out a lasting and definitive solution that would take account of Morocco's sovereignty and territorial integrity, and the specifics of the region, in compliance with the democratic and decentralization principles that Morocco wished to develop and apply, beginning with the Saharan region. The Frente POLISARIO had rejected the Moroccan proposal and had reiterated that it would cooperate and adhere to any dialogue that would be within the framework of the settlement plan.

35. At the conclusion of those consultations, the Personal Envoy had been of the view, which the Secretary-General shared, that further meetings of the parties to seek a political solution could not succeed, and indeed could be counterproductive, unless the Government of Morocco as administrative power in Western Sahara was prepared to offer or support some devolution of governmental authority, for all inhabitants and former inhabitants of the Territory, that would be genuine, substantial and in keeping with international norms.

36. The Secretary-General recalled that it was six months later, during the spring of 2001, that the Personal Envoy was able to determine that Morocco as administrative power in Western Sahara was prepared to support a draft framework agreement (S/2001/613, annex I) on the status of Western Sahara which envisaged a devolution of authority to the inhabitants of the Territory with final status to be determined by a referendum five years later. Once he had ascertained the willingness of the Government of Morocco to support the draft framework agreement, the Personal Envoy had presented it to the Government of Algeria and to the Frente POLISARIO. The views of the Government of Algeria and the Frente POLISARIO were reproduced in the report of the Secretary-General to the Council (S/2001/613, annexes II and IV).

37. In view of the strong reservations that had been expressed by the Government of Algeria and the unwillingness of the Frente POLISARIO to consider the draft framework agreement, the Security Council, in its resolution 1359 (2001), had supported the Secretary-General's proposal to invite all of the parties to meet directly or through proximity talks held under the auspices of the Personal Envoy to discuss the framework agreement and to negotiate any specific changes that they would like to see in it. The Council had also encouraged the parties to discuss any other proposal for a political solution, which might be put forward by the parties, to arrive at a mutually acceptable agreement. The Council had affirmed in its resolution that while those discussions would go on, the proposals submitted by the Frente POLISARIO to overcome the obstacles preventing implementation of the settlement plan would be considered.

38. In his report, the Secretary-General informed the Council that, following the adoption of resolution 1359 (2001), the Personal Envoy had met high-level representatives of the Frente POLISARIO and the Governments of Algeria and Mauritania at Pinedale, Wyoming, in August 2001. Neither the Government of Algeria nor the Frente POLISARIO had been willing to engage in a detailed discussion of the draft framework agreement, notwithstanding indications of flexibility by the Government of Morocco that had been conveyed to them by the Personal Envoy. The Secretary-General also informed the Council that, based on the responses that the Personal Envoy had received from the Government of Algeria and the Frente POLISARIO, which rejected the draft framework agreement (S/2002/41, annexes I and II), the Personal Envoy had not seen any real chance that the parties would ultimately voluntarily agree to that approach to solve their dispute over Western Sahara. The Personal Envoy had also been of the view, which was shared by the Secretary-General, that the proposal submitted by Algeria in lieu of the draft framework agreement, by which the United Nations would assume sovereignty over Western Sahara in order to implement provisions that appeared identical to those of the settlement plan, had no more chance than the settlement plan of bringing about an early, durable and agreed resolution of the conflict over Western Sahara.

39. The Secretary-General recalled that, at his request, the Personal Envoy had, almost five years earlier, agreed to try to assist in finding a solution to

the dispute over Western Sahara and had since worked tirelessly to that end. He had recently reaffirmed to the Secretary-General his disappointment at the lack of progress towards finding a solution to the problem of Western Sahara — a solution which was sorely needed for long-term peace, stability and prosperity in the Maghreb region. The Secretary-General observed that, despite their assertions to the contrary, the parties had not been willing to cooperate fully with the United Nations either to implement the settlement plan or to try to negotiate a political solution that would bring about an early, durable and agreed resolution of their dispute over Western Sahara.

40. He recalled that, as he had indicated in his June 2001 report to the Security Council (S/2001/613, para. 52), his Personal Envoy was of the view, based on the assessment of the United Nations work over the previous 10 years in trying to implement the settlement plan, including the almost five years during which he had been involved, that it was highly unlikely that the settlement plan could be implemented in its current form in a way that would achieve an early, durable and agreed resolution of the dispute.

41. The Secretary-General added that the Personal Envoy was of the view that, notwithstanding indications from Morocco of a willingness to negotiate, it would be pointless to pursue at that time (except as provided for in paragraph 49 of document S/2002/178) any more discussion on the draft framework agreement, as neither the Government of Algeria nor the Frente POLISARIO was willing to engage in discussing it. The Personal Envoy had also been of the view that, notwithstanding indications from Algeria and the Frente POLISARIO of a willingness to negotiate a possible division of the Territory, it was pointless to pursue at that time any such discussions (except in the manner provided in paragraph 50 of document S/2002/178), as the Government of Morocco was unwilling to discuss such an approach, even though it had reached a similar agreement with the Government of Mauritania in 1976. The Secretary-General expressed his concurrence with the views of his Personal Envoy, as expressed in paragraphs 44 to 46 of document S/2002/178.

42. Faced with such a bleak situation with regard to the future of the peace process in Western Sahara, the Secretary-General and his Personal Envoy expressed the belief that there were four options for consideration by the Security Council.

43. As a first option, the United Nations could, once again, resume trying to implement the settlement plan, starting with the appeals process, but without requiring the concurrence of both parties before action could be taken. The Secretary-General pointed out, however, that even under this non-consensual approach, the United Nations would in the years ahead face most of the same problems and obstacles that it had faced during the previous 10 years: Morocco had expressed unwillingness to go forward with the settlement plan; the United Nations might not be able to hold a free and fair referendum whose results would be accepted by both sides; and there would still be no mechanism to enforce the results of the referendum. Under that option, the Identification Commission of MINURSO would be reinforced and indeed the overall size of the operation would be increased.

44. As a second option, the Personal Envoy could undertake to revise the draft framework agreement, taking into account the concerns expressed by the parties and others with experience in such documents. However, in that event, the Personal Envoy would not seek the concurrence of the parties as had been done in the past with respect to the settlement plan and the draft framework agreement. The revised document would be submitted to the Security Council, and the Council would then present it to the parties on a non-negotiable basis. Should the Security Council agree to that option, MINURSO could be downsized further.

45. As a third option, the Security Council could ask the Personal Envoy to explore with the parties one final time whether or not they would be willing to discuss, under his auspices, directly or through proximity talks, a possible division of the Territory, with the understanding that nothing would be decided until everything had been decided. Were the Security Council to choose that option, in the event that the parties would be unwilling or unable to agree upon a division of the Territory by 1 November 2002, the Personal Envoy would also be asked to show thereafter to the parties a proposal for division of the Territory that would also be presented to the Security Council. The Council would present that proposal to the parties on a non-negotiable basis. The Secretary-General pointed out that such an approach to a political solution would give each party some, but not all, of what it wanted and would follow the precedent, but not necessarily the same territorial arrangements, of the division agreed to in 1976 between Morocco and

Mauritania. Were the Security Council to choose this option, MINURSO could be maintained at its current size, or it could be reduced even more.

46. As a fourth option, the Security Council could decide to terminate MINURSO, thereby recognizing and acknowledging that after more than 11 years and the expenditure of nearly half a billion dollars, the United Nations was not going to solve the problem of Western Sahara without requiring that one or the other or both of the parties did something that they did not wish voluntarily to agree to do.

47. The Secretary-General acknowledged that none of the above-mentioned options would appear ideal to all of the parties and interested countries. In order to give the Security Council time to decide, he recommended that the mandate of MINURSO be extended for two months until 30 April 2002.

48. On 27 February 2002, the Security Council adopted resolution 1394 (2002), by which it decided to extend the mandate of MINURSO until 30 April 2002 and to consider actively the options described by the Secretary-General in his report, and requested the Secretary-General to provide a report on the situation before the end of the mandate.

49. In accordance with that resolution, the Secretary-General, on 19 April 2002, submitted a report (S/2002/467) to the Security Council, in which he informed the Council that his Personal Envoy had had no direct contact with the parties during the reporting period. With respect to developments on the ground, the Secretary-General reported that his Special Representative had continued to maintain regular contacts with the parties and with officials of the neighbouring countries, both in Laayoune and the Tindouf area, as well as in Algiers, Rabat and Nouakchott.

50. Further, the Secretary-General informed the Council that, on 21 March 2002, the Frente POLISARIO had informed the Special Representative of its decision to lift the restrictions that had been imposed on the movement of MINURSO military observers since January 2001, but that the restrictions would be effectively lifted only at the end of April to allow time for members at all levels of the Frente POLISARIO chain of command to be duly informed of the decision.

51. With regard to humanitarian aspects, the Special Representative had visited the headquarters of several agencies working in the area to discuss continuing food supply problems and prospects for the implementation of cross-border confidence-building measures. The Secretary-General expressed regret in informing the Council that there had been no progress made with regard to confidence-building measures owing to a lack of consensus on that issue. During the reporting period, the food supply situation had remained precarious. UNHCR, together with WFP, had coordinated a donor visit to the Tindouf camps and, on 14 April, WFP had announced a two-year refugee aid project, estimated to cost $30 million, which was pending approval by its Executive Board.

52. With regard to other developments, the Secretary-General reported that, on 27 February 2002, President Abdelaziz Bouteflika of Algeria had visited the refugee camps in the Tindouf area, where he had met with the Frente POLISARIO leadership and had attended festivities marking the twenty-sixth anniversary of the "Sahrawi Arab Democratic Republic". This had been the first reported visit to the refugee camps by an Algerian Head of State since the establishment of the camps in 1976. On 5 and 6 March, King Mohammed VI of Morocco had visited the Territory, accompanied by the Moroccan Cabinet, where he had presided over a meeting of the Council of Ministers. In a televised speech, the King had announced the creation of a new agency for the social and economic development of the Territory. The Frente POLISARIO had protested the King's visit in a letter dated 4 March 2002 addressed to the President of the Security Council.

53. The Secretary-General observed that the humanitarian aspects of the overall situation in Western Sahara remained a source of great concern. He expressed his earnest hope that members of the Council would join him once again in urging the Frente POLISARIO to release all remaining prisoners of war without further delay. He urged the international community to extend its financial support to enable UNHCR and WFP to meet the humanitarian needs of the refugees. The Secretary-General expressed the hope that the Security Council would decide by the end of the current mandate period how it wished to proceed with regard to the future of the peace process in Western Sahara and that it would take action, as appropriate, on the mandate of MINURSO. He expressed his belief that by choosing the option that it

considered most likely to help resolve the conflict, the Council would indicate to the parties its determination to continue to look actively for a realistic solution to the conflict that would also contribute to long-term peace, stability and prosperity in the Maghreb region.

54. He stated that his Personal Envoy stood ready to undertake the activities that would be required under the option that the Security Council chose, in order to steer the parties towards a resolution of their dispute over Western Sahara, provided that the Council did not support any changes to options one, two or three that would require the concurrence of the parties. Such changes, as the Personal Envoy had told the Council on 27 February 2002, would simply encourage a continuation of the conflict and the current stalemate. In conclusion, the Secretary-General restated his intention to lend all of his support to his Personal Envoy in his difficult task.

55. On 30 April 2002, the Security Council adopted resolution 1406 (2002), by which it extended the mandate of MINURSO until 31 July 2002 in order to consider further the report of the Secretary-General of 19 February 2002 (S/2002/178).